

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

JENNIFER CHATTMAN,)	
)	CIVIL ACTION
Plaintiff,)	FILE NO. 1:09-CV-1525-GET-ECS
)	
v.)	
)	
ALPHA RECEIVABLES, INC.,)	
FREDERICK J. HANNA & ASSOCIATES,)	
P.C., HSBC CARD SERVICES (III),)	
INC.,)	
)	
Defendants.)	

SCHEDULING ORDER
AND INSTRUCTIONS REGARDING SUMMARY JUDGMENT MOTIONS

This action has been referred to the undersigned magistrate judge. All pretrial motions and proceedings, including discovery issues, shall be determined under this referral by the undersigned.

This case is assigned to a four-month discovery track, commencing 30 days after a defendant appeared by filing an answer to the complaint and ending **February 28, 2010**. Local Rules of Practice, NDGa, Appx. F; LR 26.2; Fed.R.Civ.P. 6(a).

The filing of a motion for extension of time for doing an action permitted or required by the Federal Rules of Civil Procedure or the Local Rules of this Court shall be filed **prior** to the deadline of said action. Absent **prior** leave granted by the Court based upon a timely filed motion, no party may file a brief in support or opposition of a motion that exceeds the page limitations set out by Local Rule 7.1D. ***The parties are reminded to comply with the spacing, type-size, and certification***

requirements of Local Rules 5.1 and 7.1D in all filings with this Court. Any footnotes shall conform to the local rules' type-size limitation, although footnotes may be single-spaced.

The parties are **ADVISED** that in connection with the undersigned magistrate judge's consideration of motions which reference depositions, the undersigned **REQUIRES** the filing of entire deposition transcripts, despite the limitation set forth in LR 26.3, NDGa, to only "those portions . . . which . . . are necessary to the motion."

Upon review of the information contained in the planning report and discovery schedule completed and filed by the parties, the Court **ORDERS** that the time limits for adding parties, amending the pleadings, filing motions, completing discovery, and discussing settlement are as stated in said completed form except as herein modified.

IT IS HEREBY ORDERED that the parties shall file a consolidated pretrial order within thirty (30) days following completion of discovery, if no motions for summary judgment are filed, ***or within thirty (30) days from a final ruling on any motions for summary judgment which is not dispositive of all claims advanced by the parties.***

In anticipation of the filing of summary judgment motion(s), the Court offers the parties the following guidelines:

1. Pursuant to Local Rule 56.1B, the party moving for summary judgment must attach to the motion a statement of material facts to which the movant contends there is no genuine issue to be tried. Each fact must be numbered, and there should be only one sentence per number. A citation to the record must follow each numbered fact. Also, statements in the form of issues, questions, or legal conclusions (rather than material facts) will not be considered by the Court.

2. The respondent to a summary judgment motion must attach to the response brief a separate response to the movant's statement of material facts. The respondent must admit or deny each of the movant's numbered facts. If the respondent denies a numbered fact, an explanation and a citation to the record must be offered.

3. Because "[i]t should be the party's responsibility to direct the Court's attention separately to each portion of the record which supports each of the party's distinct arguments," every factual statement made in the parties' briefs should be followed by a citation to the record. Dickson v. Amoco Performance Products, Inc., 845 F.Supp. 1565, 1570 (N.D.Ga. 1994). These citations should include specific page or paragraph numbers, where appropriate. Citations should not be made to the parties' statement of material facts or response thereto.

4. All documents and other record materials relied upon by a party moving for or opposing a motion for summary shall be clearly

identified for the court. Exhibits and/or affidavits appended to the motion or response should be tabbed.

IT IS FURTHER ORDERED that a trial date for this case shall be set following submission and approval of the consolidated pretrial order.

SO ORDERED, this 19th day of November, 2009.

s/ E. Clayton Scofield III
E. CLAYTON SCOFIELD III
UNITED STATES MAGISTRATE JUDGE